

# **EXHIBIT 1**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

JEFF HULBERT, *et al.*,  
*Plaintiffs,*

v.

SGT. BRIAN POPE, *et al.*,  
*Defendants.*

\*

\*

\*

Case No. 1:18-cv-00461-SAG

\*

\*

\* \* \* \* \*

**DECLARATION OF BOYD K. RUTHERFORD**

I, Boyd K. Rutherford, hereby attest and affirm as follows:

1. I am more than 18 years of age and am competent to testify, upon personal knowledge, to the matters stated herein.
2. I am Lieutenant Governor of the State of Maryland.
3. It is my understanding that plaintiffs in this lawsuit seek to take my deposition to ask me questions concerning a telephone call that was made on February 5, 2018 from the Governor's Mansion to the Maryland Capitol Police concerning a protest on a sidewalk near Lawyer's Mall in Annapolis.
4. I did not instruct, direct or encourage anyone on my staff or my state police executive protection team to contact the Maryland Capitol Police to move or arrest any protesters in Annapolis on February 5, 2018.
5. I did not instruct, direct or encourage anyone on my staff or my state police executive protection team to take any action to prevent me from interacting with protestors in Annapolis on February 5, 2018.

6. I did not direct that the Maryland Capitol Police interact with protestors in Annapolis on February 5, 2018.

7. I have no recollection of discussing any protestors with anyone on February 5, 2018.

8. I was not aware on February 5, 2018 that the Maryland Capitol Police would be made aware of the presence of protestors who were picketing in Annapolis that day.

9. I was not aware on February 5, 2018 whether anyone directed the Maryland Capitol Police to interact with protestors that day in Annapolis.

I HEREBY AFFIRM AND DECLARE, UNDER PENALTY OF PERJURY,  
THAT THE FOREGOING STATEMENTS ARE TRUE AND CORRECT.

Feb. 7, 2020  
DATE

Boyd K. Rutherford  
BOYD K. RUTHERFORD